

REMARKS

The present application was filed on April 1, 2004 with claims 1-22. Claims 1 and 7-10 have been amended and claims 6 and 13-22 have been canceled. Claims 1-5 and 7-12 remain pending and claims 1 and 10 are the pending independent claims.

In the outstanding Office Action dated July 29, 2005, the Examiner: (i) objected to the claims; (ii) rejected claims 1-5 and 10-12 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,954,878 (hereinafter "Fox") in view of U.S. Patent No. 5,319,242 (hereinafter "Carney"); and (iii) rejected claims 6-9 under 35 U.S.C. §103(a) as being unpatentable over Fox in view of Carney and the Background of the Invention (hereinafter "Background").

With regard to the objection to the claims, Applicants have amended claim 1 in accordance with the suggestions of the Examiner. No new matter has been added.

With regard to the rejections of claims 1-12 under 35 U.S.C. §103(a), Applicants have amended independent claims 1 and 10 to recite that the flexible leadframe comprises at least one embedded circuit component. Support for the amendment can be found in FIG. 5b and page 7, lines 6-14 of the specification.

As admitted by the Examiner, the combination of Fox and Carney fails to disclose a flexible leadframe comprising at least one embedded circuit component. The Background discloses the use of circuit components inside the cavity of a package and on a printed wiring board. However, the Background fails to disclose a flexible leadframe comprising at least one embedded circuit component. Therefore, the cited combination of Fox, Carney and the Background fails to teach or suggest all the claim limitations and thereby fails to establish a prima facie case of obviousness under 35 U.S.C. §103(a), as specified in M.P.E.P. §2143.

The Examiner contends that "[i]t would have been obvious . . . to form the flexible leadframe including at least one embedded circuit component . . . since it was known in the art that the at least one circuit component . . . may be formed depending on the desired applications." This contention is made in an attempt to supplement for the deficiencies in the Background with regard to the obviousness rejection.

The Federal Circuit has stated that when patentability turns on the question of obviousness, the obviousness determination "must be based on objective evidence of record" and that "this

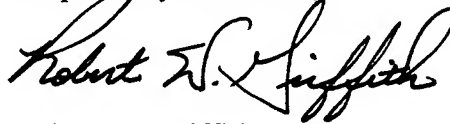
precedent has been reinforced in myriad decisions, and cannot be dispensed with.” In re Lee, 277 F.3d 1338, 1343 (Fed. Cir. 2002). The Examiner has failed to identify any objective evidence of record to support the use of embedded circuit components in a flexible leadframe.

Furthermore, in order to avoid the improper use of a hindsight-based obviousness analysis, particular findings must be made as to why one skilled in the relevant art, having no knowledge of the claimed invention, would have selected the components disclosed in the manner claimed (*See, e.g., In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000)). The general ability to form a circuit component depending on a desired application fails to properly illustrate why one would have formed a flexible leadframe having embedded circuit components.

Dependent claims 2-5, 7-9, 11 and 12 are patentable at least by virtue of their dependency from independent claims 1 and 10, and also recite patentable subject matter in their own right. Claim 6 has been canceled without prejudice. Accordingly, withdrawal of the rejections of claims 1-12 under §103(a) is respectfully requested.

In view of the above, Applicants believe that claims 1-5 and 7-12 are in condition for allowance, and respectfully request withdrawal of the §103(a) rejections.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert W. Griffith", written in a cursive style.

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